

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION

JOHNNIE MAE WALKER
AND CHRISTOPHER TAYLOR

PLAINTIFFS

VS.

CIVIL ACTION NO. 5:03-cv-469 (DCB) (JCS)

FLANARY AND SONS TRUCKING, INC.
AND JOHN DOUGLAS MacNICOLE

DEFENDANTS

ORDER

This cause is before the Court on the defendants' motion to exclude testimony **(docket entry 43)**, the defendants' motion to exclude documents **(docket entry 44)**, the defendants' motion for full disclosure **(docket entry 45)**, and the plaintiffs' motion to exclude reference to payment of medical bills **(docket entry 57)**. Having carefully considered the motions, and being fully advised in the premises, the Court finds as follows:

The defendants' motion to exclude testimony seeks exclusion of testimony by Dr. Rush, Dr. Dole, and Dr. Cobb, on the grounds that the plaintiffs have listed these witnesses in the pretrial order as testifying by deposition, but have not furnished the plaintiffs with any deposition testimony of these witnesses. Inasmuch as the deadline for submitting depositions has passed, the defendants' motion is well taken.

The defendants' motion to exclude documents is moot inasmuch as the plaintiffs have submitted the requested documents.

The defendants' motion for full disclosure and the plaintiffs'

motion to exclude reference to payment of medical bills are also moot, inasmuch as the motions refer to the testimony of Dr. Dole, which has been excluded. Accordingly,

IT IS HEREBY ORDERED that the defendants' motion to exclude testimony **(docket entry 43)**, is GRANTED;

FURTHER ORDERED that the defendants' motion to exclude documents **(docket entry 44)**, the defendants' motion for full disclosure **(docket entry 45)**, and the plaintiffs' motion to exclude reference to payment of medical bills **(docket entry 57)** are MOOT.

SO ORDERED, this the 17th day of March, 2006.

S/DAVID BRAMLETTE
UNITED STATES DISTRICT JUDGE